

### **REMARKS**

Applicants hereby request further consideration of the application in view of the amendments above and the comments that follow.

### **Status of the Claims**

Claims 1-4, 7-11, 14-18 and 21 stand rejected under Section 103(a) as being unpatentable over U.S. Patent No. 6,252,592 to King et al. (King) in view of U.S. Patent No. 5,623,613 to Rowe et al. (Rowe). Claims 5-6, 12-13 and 19-20 stand rejected under Section 103(a) as being unpatentable over King in view of Rowe and further in view of the published paper ("Grouping Objects for Tabbing and Cursoring in Visual Programming", 05/05/1995, pp. 561-563) to Cox et al. (Cox).

### **The Rejections under Section 112**

Claims 3, 10 and 17 have been amended to overcome the rejection under Section 112.

### **The Rejections under Section 103(a)**

To establish a *prima facie* case of obviousness, the prior art reference or references when combined must teach or suggest all the recitations of the claim, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. MPEP § 2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. MPEP § 2143.01.

Claim 1 recites:

1. A method for displaying a plurality of visual elements associated with a computer program application, said method comprising:  
defining a sequential tabbing order for the plurality of visual elements; and

displaying at least one graphical linking element extending between the plurality of visual elements, wherein the at least one graphical linking element represents the sequential tabbing order.

The Action cites the labels 1-7 of **Figure 2** of King as corresponding to the graphical linking elements as claimed, but acknowledges that King does not teach that the labels 1-7 extend between the visual elements (*i.e.*, "name", etc.). However, the Action contends:

In the same field of endeavor of providing graphical indication of the directions of the next focus item (e.g., see Rowe Figs. 2-8 and col. 8 lines 38-5) Rowe teaches using graphical arrow tabs 67 (e.g., Figs. 2-8) that are appended to the sides of the focus visual element (e.g., 60 in Fig. 2) to provide an indication of the direction that the focus frame can be moved to the next visual elements (e.g., see Rowe Figs. 2-8 and col. 8 lines 38-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the graphical linking elements extending between the plurality of visual elements as taught by Rowe to the method of displaying the tabbing order as taught by King to enable a user or developer to identify the tabbing order for the visual elements. The motivation to combine Rowe's teaching with King's teaching is to make it easier and convenient for a developer to view and set the tabbing order associating with a particular visual element in order to insure the accuracy of the tabbing order (e.g., see King col. 3 lines 4-10).

Applicants respectfully submit that the Examiner has clearly failed to present a proper *prima facie* obviousness rejection.

First, "providing graphical indication of the directions of the next focus item" is not a "field of endeavor." Rowe and King are in fact in very different fields of endeavor. King is directed to a tool and method for use by a software developer to assess an order and properties or attributes of visual elements to assist the developer in designing or constructing a graphical user interface (GUI). Rowe, on the other hand, is directed to a system for retrieving and displaying programming schedules or guides to enable a user (e.g., a residential or business consumer/audience) to select a desired program for reception (or transmission). *See, e.g.*, Rowe at col. 1, lines 27-31; col.2, lines 41-47; and col. 5, lines 10-12. The ordinarily skilled artisan in the field of designing tools for software developers (and,

in particular, GUI building tools) would not look to a reference such as Rowe, which is directed to an altogether different purpose and set of users.

Moreover, both King and Rowe fundamentally fail to teach or suggest provision of a graphical linking element extending between visual elements and that represents a sequential tabbing order between the visual elements. As acknowledged by the Action, King fails to teach or suggest graphical linking elements extending between visual elements. Rowe's arrow tabs 67 have no relation to tabbing order. Rather, the arrow tabs 67 simply serve to advise or indicate to an end user (*e.g.*, a media or television service subscriber) the different directions in which the user can move a focus frame if the end user so desires. *See, e.g.*, Rowe at col. 8, lines 38-67. That is, the arrows 67 simply indicate navigation options or choices, not a predefined tabbing order.

Further, the motivation proposed by the Action falls well short of that required to establish a proper §103 rejection, particularly in view of King itself. The disclosure of King at **Figure 2** and col. 3, line 53 to col. 4, line 13, describes prior art methods. As best understood, King proposes to improve upon these prior art methods by employing a method that does not rely on static visual indicia (*See, e.g.*, King at col. 4, lines 28-45). Thus, the proposed motivation to provide further or enhanced static visual indicia is not at all apparent from King itself.

In view of the foregoing, Applicants respectfully submit that Claim 1 is clearly allowable over the cited art. Claims 2-7 depend from Claim 1 and are therefore allowable as well for at least the foregoing reasons.

Claims 8 and 15 are directed to a system and a computer program product, respectively, generally corresponding to the method of Claim 1 and are therefore allowable as well for the foregoing reasons. Claims 9-14 depend from Claim 8 and Claims 16-21 depend from Claim 15.

At least certain of dependent Claims 2-7, 9-14, and 16-21 are further distinguishable from the cited art. However, in view of the clear patentability of Claims 1, 8 and 15 over the cited art, Applicants do not believe further discussion of the dependent claims is needed at this time.

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**CONCLUSION**

Applicants respectfully submit that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,



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